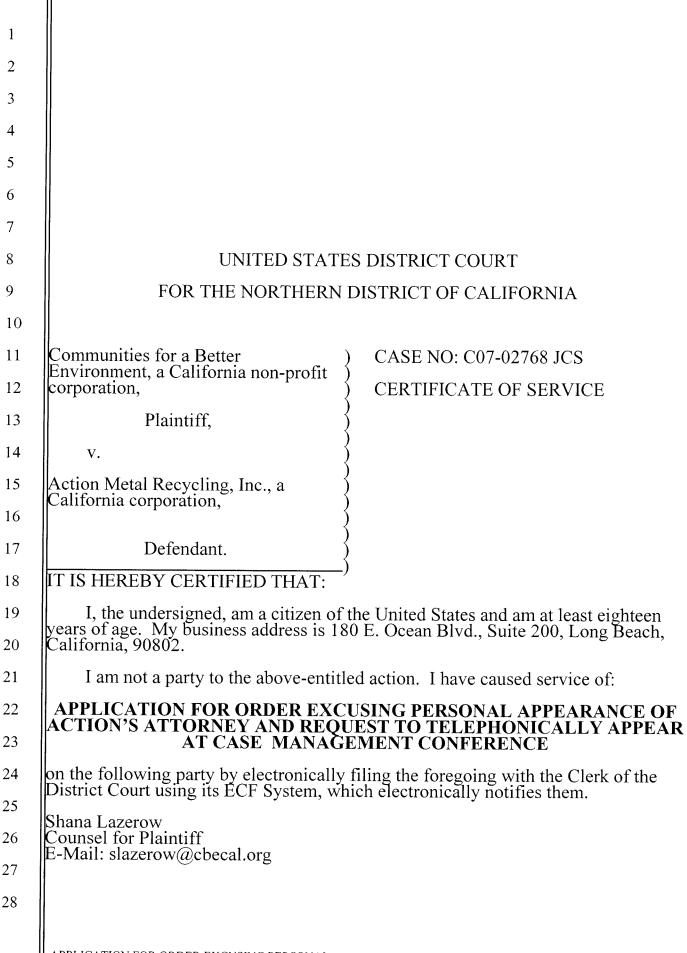
1	C.D. Michel, S.B.N. 144258		
2	ctrutanich@tmllp.com W. Lee Smith, S.B.N. 196115 lsmith@tmllp.com TRUTANICH • MICHEL, LLP 180 E. Ocean Blvd., Suite 200 Long Beach, CA 90802 Telephone: (562) 216-4444 Felephone: (562) 216-4444		
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5	Telephone: (562) 216-4444 Facsimile: (562) 216-4445		
6	Attorneys for Defendant		
7	Action Metal Recycling, Inc.		
8	UNITED STATES DISTRICT COURT		
9	FOR THE NORTHERN DISTRICT OF CALIFORNIA		
10			
11	Communities for a Better) CASE NO: C07-02768 JCS	
12	Environment, a California non-profit corporation, Plaintiff,) APPLICATION FOR ORDER	
13) EXCUSING PERSONAL) APPEARANCE OF ACTION'S) ATTORNEY AND REQUEST TO) TELEPHONICALLY APPEAR AT	
14	V.		
15	Action Metal Recycling, Inc., a California corporation,	CASE MANAGEMENT CONFERENCE	
16	Camonia corporation,	Pursuant to Local Rule 16-10(a).	
17	Defendant.	Magistrate Judge: Joseph C. Spero	
18 19		Complaint Filed: June 25, 2007 Trial Date: None	
20		CMC Date: November 30, 2007 Time: 1:30 p.m.	
21	TO THE PARTIES, THEIR ATTORNEYS OF RECORD, AND THE COURT:		
22	Defendant Action Metal Recycling, Inc. ("Action"), by and through its		
23	attorney of record, W. Lee Smith of Trutanich • Michel, LLP ("TM"), respectfully		
24	submits the following Application for Order Excusing Personal Appearance of		
25	Action's Attorney and Request for Telephonic Appearance at Case Management		
26	Conference ("CMC") scheduled for November 30, 2007, at 1:30 p.m., before the		
27	Honorable Joseph C. Spero.		
28	1. TM is located in Long Beach, California. If W. Lee Smith (the case		

1	manager for this matter) travels to and from San Francisco to participate in the		
2	CMC, he will likely spend nearly a whole business day traveling, if not more.		
3	2. The cost of Mr. Smith's time spent traveling and the cost of transportation		
4	will be out of proportion to size of the matter and the pecuniary relief sought,		
5	especially in light of the fact that the parties are actively discussing the potential for		
6	a settlement agreement.		
7	3. For the reasons set forth above, we request the Court excuse Action's		
8	attorney from personally attending the November 30, 2007, CMC and instead allow		
9	Action's attorney to participate in the CMC by telephone.		
10	Based on the foregoing, Action requests this Application for an Order		
11	Excusing Personal Appearance of Action's Attorney and Request for Telephonic		
12	Appearance at the Case Management Conference at the November 30, 2007 CMC		
13	be granted.		
14	Res	pectfully submitted,	
15	DATED: November 21, 2007 TR	UTANICH • MICHEL, LLP	
16		, -	
17			
18	/s/		
19	W. I Cou	Lee Smith nsel for Defendants	
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	II .		



I declare under penalty of perjury that the foregoing is true and correct. Executed on November 21, 2007. /s/W. Lee Smith W. Lee Smith Counsel for Defendant APPLICATION FOR ORDER EXCUSING PERSONAL APPEARANCE & REQUEST TO TELE. APPEAR